

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

KELLY GIBSON, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	CIVIL ACT. NO. 1:22-cv-324-TFM-M
)	
WINN-DIXIE MONTGOMERY, LLC,)	
)	
Defendant.)	

ORDER

Pending before the Court is the *Joint Stipulation of Dismissal*. Doc. 37, filed April 26, 2023. The Federal Rules of Civil Procedure permit a plaintiff to voluntarily dismiss the action without an order of the court “by filing a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment” or “a stipulation signed by all parties who have appeared.” Fed. R. Civ. P. 41(a)(1)(A)(i)-(ii). The joint stipulation is signed by counsel for all of the parties in this matter. Doc. 37.

Consequently, by operation of Fed. R. Civ. P. 41, this action has been dismissed in accordance with the stipulation. Therefore, the claims in this case are dismissed with prejudice, with costs taxed as paid.

The Clerk of the Court is **DIRECTED** to close this case.

DONE and **ORDERED** this 26th day of April 2023.

/s/ Terry F. Moorner

TERRY F. MOORER
UNITED STATES DISTRICT JUDGE